

107TH CONGRESS  
1ST SESSION

# H. R. 2594

To amend the Public Health Service Act to establish authority for the inclusion of tertiary-care nurses in the program for the National Health Service Corps, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2001

Mr. JONES of North Carolina (for himself, Mrs. CLAYTON, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. CRAMER, Mr. STENHOLM, and Mr. GOODE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to establish authority for the inclusion of tertiary-care nurses in the program for the National Health Service Corps, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Nursing Shortage Re-  
5       sponse Act of 2001”.

1 **SEC. 2. NATIONAL HEALTH SERVICE CORPS; AUTHORITY**  
 2 **OF SECRETARY REGARDING TERTIARY-CARE**  
 3 **NURSES.**

4 Subpart II of part D of title III of the Public Health  
 5 Service Act (42 U.S.C. 254d et seq.) is amended by insert-  
 6 ing after section 336A the following section:

7 “AUTHORITY REGARDING TERTIARY-CARE NURSES

8 “SEC. 336B. (a) IN GENERAL.—

9 “(1) DETERMINATION OF SHORTAGE.—The au-  
 10 thorities described in this section for the Secretary  
 11 are effective, notwithstanding any other provision of  
 12 this subpart, if the Secretary determines that a sig-  
 13 nificant number of public and nonprofit private hos-  
 14 pitals have shortages of tertiary-care nurses.

15 “(2) TERTIARY-CARE NURSES.—For purposes  
 16 of this section, the term ‘tertiary-care nurse’ means  
 17 a registered nurse (under applicable legal require-  
 18 ments) who provides tertiary care, without regard to  
 19 whether the nurse has received advanced nurse edu-  
 20 cation within the meaning of section 811.

21 “(b) INCLUSION IN CORPS PROGRAM; SCHOLARSHIP  
 22 AND LOAN REPAYMENT PROGRAMS.—The Secretary may  
 23 under subsection (a) accept tertiary-care nurses as Corps  
 24 members, and may provide for the participation of such  
 25 nurses in the Scholarship and Loan Repayment Programs.

26 “(c) HEALTH PROFESSIONAL SHORTAGE AREAS.—

1           “(1) IN GENERAL.—In establishing criteria  
2           under section 332(b) for the designation of health  
3           professional shortage areas, the Secretary may  
4           under subsection (a)—

5                   “(A) include tertiary-care nurses in deter-  
6                   mining the number of health professionals for  
7                   purposes of the ratio described in section  
8                   332(b)(1); and

9                   “(B) establish criteria for otherwise consid-  
10                  ering tertiary-care nurses in designating health  
11                  professional shortage areas.

12           “(2) EFFECT ON CERTAIN SHORTAGE AREAS.—  
13           In the case of a health professional shortage area  
14           that was designated by the Secretary under section  
15           332 before the date of the enactment of the Nursing  
16           Shortage Response Act of 2001, the Secretary may  
17           not terminate the designation on the basis of criteria  
18           established under paragraph (1).”.

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